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EXAMINER
COUGHLAN, PETER D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/626,443	HOGAN, MICHAEL
	Examiner	Art Unit	
	PETER COUGHLAN	2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 September 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-44 and 46_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-44 and 46_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _7/24/2008_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

Detailed Action

1.   This office action is in response to an AMENDMENT entered September 18,

2008 for the patent application 10/626443 filed on July 24, 2003.

2.   All previous Office Actions are is fully incorporated into this Non-Final Office

Action by reference.

3.   Examiner's Comment: Although, the terms 'carrier wave' or 'carrier signal' is not

specifically mentioned within the specification, the Examiner will exclude these

interpretations wherein the context of 'storing data', 'database' is disclosed.

Status of Claims

4.   Claims 1-44, 46 are pending.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under
section 122(b), by another filed in the United States before the invention by the
applicant for patent or (2) a patent granted on an application for patent by
another filed in the United States before the invention by the applicant for patent,
except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application
filed in the United States only if the international application designated the
United States and was published under Article 21(2) of such treaty in the English
language.

Claims 1, 20, 43, 44 are rejected under 35 U.S.C. 102(e) (hereinafter referred to

as Deitz) being anticipated by **Deitz**, U.S. Patent 7020876.

Claim 1

Deitz teaches obtaining configuration information from a computer based

validated biopharmaceutical batch process control system (**Dietz,** C5:17-46;

'Biopharmaceutical batch process control system' of applicant is equivalent to 'batch

oriented process control systems including for example process control systems that

produce pharmaceuticals' of Dietz.); based upon an automatically detected hierarchy

among elements of the configuration information automatically obtaining a first

transformed version of the configuration (**Dietz,** C4:9-32; 'Hierarchy among elements of

the configuration' of applicant is illustrated by 'received a second message containing a

set of batch information in response to the first message requesting … using a graphical

user interface and prompts a user to enter a first input identifying a subset of set of

batch information from the displayed set of batch information from the displayed set of

batch information to be included within at least one batch of the plurality of batches' of

Dietz.); transforming the first transformed version of the configuration information using

user input to obtain a second transformed version of the configuration information

(**Dietz,** Fig. 9, C5:7-9, C13:49 through C14:10; 'First transformed version of the

configuration information using user input to obtain a second transformed version of the

configuration information' of applicant is equivalent to 'editing' of Dietz.) the user input

obtained via a graphical user interface the user input indicative that DHTML logic is to

be applied to obtain the second transformed version of the configuration information

(**Dietz,** C1:36-50, C16:46-54; 'DHTML logic' of applicant is not true 'logic' in the

classical definition of 'logic.' DHTHL is a combination of a number computer languages

which enable web pages to be dynamic. Thus since Dietz is able to be edited and be

used over the internet, then DHTML is inherent.) expressing the first transformed

version and the second transformed version in a destination biopharmaceutical batch

process control system, the biopharmaceutical batch process control system configured

by the second transformed version to control a biopharmaceutical batch process.

(**Dietz,** C8:28-55; 'Expressing the first transformed version and the second transformed'

of applicant is disclosed by the ability to 'monitor the campaign status' of Dietz.)

      Claim 20

Deitz teaches receiving input relating to an element of the information from a

user. (**Deitz,** C8:28-55; 'Graphical user interface' of applicant is equivalent to 'graphical

user interface' of Deitz.))

Claim 43

Deitz teaches obtaining configuration information from a computer based

validated biopharmaceutical batch process system (**Dietz,** C5:17-46;

'Biopharmaceutical batch process control system' of applicant is equivalent to 'batch

oriented process control systems including for example process control systems that

produce pharmaceuticals' of Dietz.); based upon an automatically detected hierarchy

among elements of the configuration information automatically obtaining a first

transformed version of the configuration (**Dietz,** C4:9-32; 'Hierarchy among elements of

the configuration' of applicant is illustrated by 'received a second message containing a

set of batch information in response to the first message requesting ... using a graphical

user interface and prompts a user to enter a first input identifying a subset of set of

batch information from the displayed set of batch information from the displayed set of

batch information to be included within at least one batch of the plurality of batches' of

Dietz.); transforming the first transformed version of the configuration information using

user input to obtain a second transformed version of the information (**Dietz,** Fig. 9,

C5:7-9, C13:49 through C14:10; 'First transformed version of the configuration

information using user input to obtain a second transformed version of the configuration

information' of applicant is equivalent to 'editing' of Dietz.), the user input obtained via a

graphical user interface the user input indicative that DHTML logic is to be applied to

obtain the second transformed version of the configuration information (**Dietz,** C1:36-50,

C16:46-54; 'DHTML logic' of applicant is not true 'logic' in the classical definition of

'logic.' DHTHL is a combination of a number computer languages which enable web

pages to be dynamic. Thus since Dietz is able to be edited and be used over the

internet, then DHTML is inherent.) ; and expressing the first transformed version and the

second transformed version in a destination biopharmaceutical process control system,

the biopharmaceutical process control system configured by the second transform

version to control a biopharmaceutical process. (**Dietz,** C8:28-55; 'Expressing the first

transformed version and the second transformed' of applicant is disclosed by the ability

to 'monitor the campaign status' of Dietz.)

Claim 44

Deitz teaches means for obtaining configuration information from computer

based validated biopharmaceutical batch process control system (**Dietz,** C5:17-46;

'Biopharmaceutical batch process control system' of applicant is equivalent to 'batch

oriented process control systems including for example process control systems that

produce pharmaceuticals' of Dietz.); means for automatically obtaining based upon an

automatically detected hierarchy among elements of the configuration information a first

transformed version of the configuration information (**Dietz,** C4:9-32; 'Hierarchy among

elements of the configuration' of applicant is illustrated by 'received a second message

containing a set of batch information in response to the first message requesting …

using a graphical user interface and prompts a user to enter a first input identifying a

subset of set of batch information from the displayed set of batch information from the

displayed set of batch information to be included within at least one batch of the plurality

of batches' of Dietz.); means for transforming the first transformed version of the

configuration information using user input to obtain a second transformed version of the

configuration information (**Dietz,** Fig. 9, C5:7-9, C13:49 through C14:10; 'First

transformed version of the configuration information using user input to obtain a second

transformed version of the configuration information' of applicant is equivalent to

'editing' of Dietz.), the user input obtained via a graphical user interface the user input

indicative of a predetermined option regarding the second transformed version of the

configuration information (**Dietz,** C1:36-50, C16:46-54; 'DHTML logic' of applicant is not

true 'logic' in the classical definition of 'logic.' DHTHL is a combination of a number

computer languages which enable web pages to be dynamic. Thus since Dietz is able

to be edited and be used over the internet, then DHTML is inherent.); and means for

expressing the first transformed version and the second transformed version in a

process control destination system, the process control destination system configured

by the second transform version to control a process. (**Dietz,** C8:28-55; 'Expressing the

first transformed version and the second transformed' of applicant is disclosed by the

ability to 'monitor the campaign status' of Dietz.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 2-4, 8, 12, 14, 15, 18, 19, 23-27 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Deitz as set forth above, in view of Jayaram. (U. S. Patent

6996589, referred to as **Jayaram**)

Claim 2

Deitz does not teach converting the information into a common format.

Jayaram teaches converting the information into a common format. (**Jayaram,**

C11:15-55; One example of a 'common format' of applicant is 'XML' of Jayaram.) It

would have been obvious to a person having ordinary skill in the art at the time of

applicant's invention to modify the teachings of Deitz by using a consistence format as

taught by Jayaram to converting the information into a common format.

For the purpose of avoiding additional computing cost associated with two or

more formats.

Claim 3

Deitz does not teach converting the information into a user-definable syntax.

Jayaram teaches converting the information into a user-definable syntax.
(**Jayaram,** C11:15-55; 'User definable syntax' of applicant is equivalent to 'configurable mapping language' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by altering information into a user familiar syntax as taught by Jayaram to converting the information into a user-definable syntax.

For the purpose of having the invention easier to use for the user due to the fact the user defines syntax is employed.

Claim 4

Deitz does not teach converting the information into XML.

Jayaram teaches converting the information into XML. (**Jayaram,** C11:15-55; One example of a 'XML' of applicant is 'XML' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using XML as taught by Jayaram to converting the information into XML.

For the purpose of using an industrial standard code for ease of implementation across multiple platforms.

Claim 8

Deitz does not teach expressing the information in an XML syntax.

Jayaram teaches expressing the information in an XML syntax. (**Jayaram,**
C11:15-55; One example of a 'XML' of applicant is 'XML' of Jayaram.) It would have
been obvious to a person having ordinary skill in the art at the time of applicant's
invention to modify the teachings of Deitz by using XML taught by Jayaram to
expressing the information in an XML syntax.

For the purpose of using an industrial standard code for ease of expression
across multiple platforms.

Claim 12

Deitz does not teach generating a plurality of options adapted for use in
translation of an element of the information.

Jayaram teaches generating a plurality of options adapted for use in translation
of an element of the information. (**Jayaram,** C13:1-47; 'Options' of applicant is
equivalent to 'commands' of Jayaram.) It would have been obvious to a person having
ordinary skill in the art at the time of applicant's invention to modify the teachings of
Deitz by having options as taught by Jayaram to generating a plurality of options
adapted for use in translation of an element of the information.

For the purpose of being able to generate options for obtaining different
translations as needed.

Claim 14

Deitz does not teach creating graphical user interface elements adapted to present a plurality of options for translating an element of the information.

Jayaram teaches creating graphical user interface elements adapted to present a plurality of options for translating an element of the information. (**Jayaram,** C13:1-47; 'Options' of applicant is equivalent to 'commands' of Jayaram. 'Graphical user interface' of applicant is equivalent to 'GUI' of Jayaram. Jayaram illustrates that instructions may be entered by the GUI.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by being able to view the options as taught by Jayaram to creating graphical user interface elements adapted to present a plurality of options for translating an element of the information.

For the purpose of being able to view the possible options to use for translation functions.

Claim 15

Deitz does not teach presenting a plurality of options adapted for use in translation of an element of the information.

Jayaram teaches presenting a plurality of options adapted for use in translation of an element of the information. (**Jayaram,** C13:1-47; 'Presenting a plurality of options of applicant is equivalent to 'constructs in a selectable list' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's

invention to modify the teachings of Deitz by displaying the options as taught by

Jayaram to presenting a plurality of options adapted for use in translation of an element

of the information.

For the purpose of being able to employ the possible options to use for

translation functions.

Claim 18

Deitz does not teach presenting in the graphical user interface a plurality of

options adapted for use in translation of an element of the information.

Jayaram teaches presenting in the graphical user interface a plurality of options

adapted for use in translation of an element of the information. (**Jayaram,** C13:1-47;

'Graphical user interface' of applicant is equivalent to 'GUI' of Jayaram.) It would have

been obvious to a person having ordinary skill in the art at the time of applicant's

invention to modify the teachings of Deitz by combining the GUI and the generated

options as taught by Jayaram to presenting in the graphical user interface a plurality of

options adapted for use in translation of an element of the information.

For the purpose of reducing the effort to employ the options by using a GUI.

Claim 19

Deitz does not teach receiving a user-selected option from a plurality of options

adapted for use in translation of an element of the information.

Jayaram teaches receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information. (**Jayaram,** C13:1-47; 'Translating an element of the information' of applicant is equivalent to 'the GUI may further include a mapping language parser to ensure that any mapping dependency constraints are fulfilled' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by being able to accept input as taught by Jayaram to receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information.

For the purpose of having the invention take in input from the user so that the user can chose which translation options are desired.

Claim 23

Deitz does not teach tracking received user input adapted for use in translation of an element of the information.

Jayaram teaches tracking received user input adapted for use in translation of an element of the information. (**Jayaram,** C21:34-52; 'Tracking' of applicant is equivalent to 'tracking are published' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by keeping a log as taught by Jayaram to tracking received user input adapted for use in translation of an element of the information.

For the purpose of aiding the user by avoiding duplicate translation request.

Claim 24

Deitz does not teach providing an audit trail of the user input relating to a translation of an element of the information.

Jayaram teaches providing an audit trail of the user input relating to a translation of an element of the information. (**Jayaram,** C21:34-52; 'Providing an audit trail' of applicant is equivalent to 'tracking are published' of Jayaram. This is due to the specification 'user input can be tracked, thereby providing an audit trial of user input.') It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by having audit trail generated as taught by Jayaram to providing an audit trail of the user input relating to a translation of an element of the information.

For the purpose of keeping track of the cost for the translations of the invention for possible display to the user.

Claim 25

Deitz does not teach providing an audit trail of the user input.

Jayaram teaches providing an audit trail of the user input. (**Jayaram,** C21:34-52; 'Providing an audit trail' of applicant is disclosed by 'tracking are published through a report' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by outputting the audit trail as taught by Jayaram to providing an audit trail of the user input.

For the purpose of displaying the cost of the translation to the user so that the user can use this information to avoid audit trail costs thresholds.

Claim 26

Deitz does not teach repeating said applying activity.

Jayaram teaches repeating said applying activity. (**Jayaram,** Figure 9; 'Repeating said applying activity' of applicant is equivalent to the 'fail' arrow from 'business requirement compliance check' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by allowing to repeat steps as taught by Jayaram to repeating said applying activity.

For the purpose of repeating a step if required so that a desired result can occur.

Claim 27

Deitz does not teach repeating said transforming activity.

Jayaram teaches repeating said transforming activity. (**Jayaram,** Figure 9; 'Repeating said transforming activity' of applicant is equivalent to 'the 'fail' arrow from the 'database attribute compliance check' of Jayaram.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by being able to repeat a transformation as taught by Jayaram to repeating said transforming activity.

For the purpose of employing an iteration technique for a desired result.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as

set forth above, in view of Payson. (U. S. Patent 6289266, referred to as **Payson**)

Claim 5

Deitz does not teach importing the first transformed version into the destination

system, the first transformed version obtained from a Bailey INFI-90 configuration

database.

Payson teaches importing the first transformed version into the destination

system, the first transformed version obtained from a Bailey INFI-90 configuration

database. (**Payson,** C5:1-5; 'Bailey INFI-90' of applicant is equivalent to 'INFI 90

available from Bailey' of Payson.) It would have been obvious to a person having

ordinary skill in the art at the time of applicant's invention to modify the teachings of

Deitz by using hardware as taught by Payson to importing the first transformed version

into the destination system, the first transformed version obtained from a Bailey INFI-90

configuration database.

For the purpose of using established hardware with proved results and

compatibility history.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as

set forth above, in view of Talanis. (U. S. Patent Publication 20010047420, referred to

as **Talanis**)

Claim 6

Deitz does not teach importing the second transformed version into the

destination system the second transformed version comprising configuration elements

associated with a WinCC operator console.

Talanis teaches importing the second transformed version into the destination

system the second transformed version comprising configuration elements associated

with a WinCC operator console. (**Talanis,** ¶0013; 'WinCC' of applicant is equivalent to

'WinCC' of Talanis.) It would have been obvious to a person having ordinary skill in the

art at the time of applicant's invention to modify the teachings of Deitz by using WinCC

as taught by Talanis to have importing the second transformed version into the

destination system the second transformed version comprising configuration elements

associated with a WinCC operator console.

For the purpose of using an established software package as WinCC for

importing transforms versions with known reliability and results.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.

> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as

set forth above, in view of Mylopoulos. ('Knowbel: A Hybrid tool for building expert

systems', referred to as **Mylopoulos**)

Claim 7

Deitz does not teach parsing the information, the information obtained from an

APACS control system configuration database.

Mylopoulos teaches parsing the information, the information obtained from an

APACS control system configuration database. (**Mylopoulos,** p22, C2:8 through p23,

C1:51) It would have been obvious to a person having ordinary skill in the art at the time

of applicant's invention to modify the teachings of Deitz by using APACS as taught by

Mylopoulos to have parsing the information, the information obtained from an APACS

control system configuration database.

For the purpose of using established hardware with known reliability and

performance for obtaining accurate results.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9-11, 13, 35, are rejected under 35 U.S.C. 103(a) as being unpatentable

over Deitz as set forth above, in view of Moore. (U. S. Patent Publication 20010056429,

referred to as **Moore**)

Claim 9

Deitz does not teach applying XSLT transforms to the information.

Moore teaches applying XSLT transforms to the information. (**Moore, ¶0291**;

'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore.)

It would have been obvious to a person having ordinary skill in the art at the time of

applicant's invention to modify the teachings of Deitz by introducing XSLT as taught by

Moore to apply XSLT transforms to the information.

For the purpose of using standard information technologies such as XSLT for

obtaining reliable results.

Claim 10

Deitz does not teach applying XSLT transforms to the information and generating DHTML.

Moore teaches applying XSLT transforms to the information and generating DHTML. (**Moore,** ¶0291; 'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore. 'Generating DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by applying XSLT to DHTML as taught by Moore to apply XSLT transforms to the information and generating DHTML.

For the purpose of generating a interface which a user can interact with.

Claim 11

Deitz does not teach generating DHTML encoding a plurality of options for translating an element of the information.

Moore teaches generating DHTML encoding a plurality of options for translating an element of the information. (**Moore,** ¶0291; 'Generating DHTML' of applicant is equivalent to using as a presentation language of DHTML of Moore. A 'presentation language' of Moore is equivalent to 'translating an element of the information' of applicant.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using DHTML abilities as taught by Moore to generate DHTML encoding a plurality of options for translating an element of the information.

For the purpose of having a dynamic interface so the user can input translation requests.

Claim 13

Deitz does not teach interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic.

Moore teaches interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic. (**Moore,** ¶0291; 'Interpreting' of applicant is the presentation language function.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using DHTML as taught by Moore to interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic.

For the purpose of using logic to provide accurate results obtained from the use of established software as DHTML logic.

Claim 35

Deitz does not teach wherein XSLT is employed to translate the information.

Moore teaches wherein XSLT is employed to translate the information. (**Moore,** ¶0291; 'XSLT transform' of applicant is equivalent to 'XSLT as a scripting language' of Moore.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using XSLT as taught by Moore to have wherein XSLT is employed to translate the information.

For the purpose of using standard information technologies such as XSLT for

obtaining reliable results in translation tasks.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 16, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Deitz as set forth above, in view of the combination of Koizumi and Jayaram. (U. S.

Patent Publication 20020026633, referred to as **Koizumi**; U. S. Patent 6996589,

referred to as **Jayaram**)

Claim 16

Deitz does not teach presenting to each of a plurality of users, a plurality of

options adapted for use in translation of an element of the information.

Koizumi teaches presenting to each of a plurality of users. (**Koizumi, ¶0380;**

'Plurality of users' of applicant is disclosed by the delivery of the object program to the

users of Koizumi.) Jayaram teaches a plurality of options adapted for use in translation

of an element of the information. (**Jayaram,** C13:1-47; 'Plurality of options' of applicant

is equivalent to 'commands' of Jayaram.) It would have been obvious to a person

having ordinary skill in the art at the time of applicant's invention to modify the teachings

of Deitz by presenting multiple options to multiple users as taught by Koizumi and

Jayaram to presenting to each of a plurality of users, a plurality of options adapted for

use in translation of an element of the information.

For the purpose of dividing the work tasks into different sections for increased

productivity per time.

Claim 17

Deitz does not teach presenting to each of a plurality of users, a plurality of

options adapted for use in translation of an element of the information, the plurality of

options and the information element differing for each of the plurality of users.

Koizumi teaches presenting to each of a plurality of users. (**Koizumi,** ¶0380;

'Plurality of users' of applicant is disclosed by the delivery of the object program to the

users of Koizumi.) Jayaram teaches a plurality of options adapted for use in translation

of an element of the information, the plurality of options and the information element

differing for each of the plurality of users. (**Jayaram,** C13:1-47, abstract; 'Presenting a

plurality of options of applicant is equivalent to 'constructs in a selectable list' of

Jayaram. 'Translating an element' of applicant is disclosed by the 'database conversion

engine' of Jayaram.) It would have been obvious to a person having ordinary skill in the

art at the time of applicant's invention to modify the teachings of Deitz by presenting

multiple options of translations to multiple users as taught by Koizumi and Jayaram to

presenting to each of a plurality of users, a plurality of options adapted for use in

translation of an element of the information, the plurality of options and the information

element differing for each of the plurality of users.

For the purpose of obtaining different translations for different users, such that

user specialization can be utilized.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims 21, 28-33, 36-39 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Deitz as set forth above, in view of Nixon. (U. S. Patent Publication

20020077711, referred to as **Nixon**)

Claim 21

Deitz does not teach receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

Nixon teaches receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information. (**Nixon,** ¶0048; 'Plurality of users' of Nixon is equivalent to 'one or more users' of Nixon. 'Receiving input from each of a plurality of users' of applicant is equivalent to 'each user interface routine can receive' of Nixon. 'Preference adapted for use in translation' of applicant is equivalent to 'information from the asset utilization suite' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by inputting multiple users translation request as taught by Nixon to receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

For the purpose of a multiple of users being able to input data so that each user can receive outputs from their specific requests.

Claim 28

Deitz does not teach providing a view of the destination system.

Nixon teaches comprising providing a view of the destination system. (**Nixon,** ¶0125; 'Providing a view' of applicant is equivalent to 'graphical views' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of

applicant's invention to modify the teachings of Deitz by providing output as taught by

Nixon to have a view of the destination system.

For the purpose of seeing the interface of the system and the results of the

translation which are imposed on the destination system.

Claim 29

Deitz does not teach providing a plurality of differing views of the destination

system, each of the plurality of differing views corresponding to a different use for the

destination system.

Nixon teaches providing a plurality of differing views of the destination system,

each of the plurality of differing views corresponding to a different use for the destination

system. (**Nixon,** ¶0125; 'Plurality of differing views' of applicant is equivalent to 'one or

more pull down menus' of Nixon.) It would have been obvious to a person having

ordinary skill in the art at the time of applicant's invention to modify the teachings of

Deitz by providing multiple views as taught by Nixon to have a plurality of differing views

of the destination system, each of the plurality of differing views corresponding to a

different use for the destination system.

For the purpose of each user having their own view, due to the logic it would

hinder the user to see results of other views which are of no concern to the user.

Claim 30

Deitz does not teach presenting in the graphical user interface the information and the second transformed version.

Nixon teaches presenting in the graphical user interface the information and the second transformed version. (**Nixon,** ¶0125, ¶0048; 'Graphical user interface' of applicant is equivalent to 'GUI' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using GUI interface as taught by Nixon to have in the graphical user interface the information and the second transformed version.

For the purpose of using a GUI which allows for increase of ease of use for the user.

Claim 31

Deitz does not teach receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information.

Nixon teaches receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information. (**Nixon,** ¶0048; 'Plurality of users' of Nixon is equivalent to 'one or more users' of Nixon. 'Receiving input from each of a plurality of users' of applicant is equivalent to 'each user interface routine can receive' of Nixon. 'Preference adapted for use in translation' of applicant is equivalent to 'information from the asset utilization suite' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by having multiple users input e allowed as

taught by Nixon to have receiving input from each of a plurality of users regarding each

user's preference adapted for use in translation of an element of the information.

For the purpose of allowing the user to dictate translation needs thus permitting

the user to focus in on specific translation elements.

Claim 32

Deitz does not teach wherein the second transformed version is based on the

first transformed version.

Nixon teaches wherein the second transformed version is based on the first

transformed version. (**Nixon,** ¶0088; 'Second transformed version based on the first' of

applicant can be seen as the 'hierarchy represents' of a user.) It would have been

obvious to a person having ordinary skill in the art at the time of applicant's invention to

modify the teachings of Deitz by altering an existing interface as taught by Nixon to

have the second transformed version is based on the first transformed version.

For the purpose of updating an interface for greater or lesser content for

increased accuracy of field of use.

Claim 33

Deitz does not teach wherein the second transformed version is not based on the

first transformed version.

Nixon teaches wherein the second transformed version is not based on the first transformed version. (**Nixon,** ¶0048; 'Not based on the first transform' of applicant is equivalent to 'different sets' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by generating a new interface as taught by Nixon to have the second transformed version is not based on the first transformed version.

For the purpose of looking at a completely different interface if needed to observe different scenarios for other solutions which are outside a specific domain.

Claim 36

Deitz does not teach wherein at least one of the first plurality of patterns is a set.

Nixon teaches wherein at least one of the first plurality of patterns is a set. (**Nixon,** ¶0048; 'Patterns is a set' of applicant is disclosed by 'different sets' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by having information in a set as taught by Nixon to have at least one of the first plurality of patterns is a set.

For the purpose of using set theory in a abstract way to reduce input parameters or established scenarios for greater efficiency.

Claim 37

Deitz does not teach wherein at least one of the first plurality of patterns is a hierarchy.

Nixon teaches wherein at least one of the first plurality of patterns is a hierarchy. (**Nixon,** ¶0088; 'Patterns is a hierarchy' of applicant can be seen as the 'hierarchy represents' of a user.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by having a hierarchy structure in patterns as taught by Nixon to have wherein at least one of the first plurality of patterns is a hierarchy.

For the purpose of looking at hierarchy patterns related in a processing structure for increased understanding of an overall pattern.

Claim 38

Deitz does not teach wherein at least one of the first plurality of patterns is a naming convention.

Nixon teaches wherein at least one of the first plurality of patterns is a naming convention. (**Nixon,** Fig. 8; "naming convention' of applicant is illustrated by the examples of 'Mixing-reagent1', 'Mixer-in1', 'Mixer-reagent2', 'Mixer-in2', 'Mixer-feed', 'Mixer-in', ''Static mixer' and 'Mixer-out' of Nixon.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by using naming conventions as taught by Nixon to have at least one of the first plurality of patterns is a naming convention.

For the purpose of ease of search based on the name of patterns.

Claim 39

Deitz does not teach wherein the user input is derived from input from a first user and input from a second user.

Nixon teaches wherein the user input is derived from input from a first user and input from a second user. (**Nixon,** ¶0048; Nixon discloses that one or more users can subscribe to the same or different sets of data.) It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by having multiple users work on each other's input as taught by Nixon to have wherein the user input is derived from input from a first user and input from a second user.

For the purpose of being to modify each other work for improved results.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as set forth above, in view the combination of Koizumi and Betawar. (U. S. Patent

Publication 20020026633, referred to as **Koizumi;** U. S. Patent Publication

20020055804, referred to as **Betawar)**

Claim 22

Deitz does not teach receiving input from each of a plurality of users regarding

each user's preference for translating an element of the information, a first user's

preference overriding a second user's preference.

Koizumi teaches receiving input from each of a plurality of users (**Koizumi,**

¶0380; 'Plurality of users' of applicant is disclosed by the delivery of the object program

to the users of Koizumi.) Betawar teaches regarding each user's preference for

translating an element of the information, a first user's preference overriding a second

user's preference. (**Betawar,** ¶0057; In this example, 'First user' of applicant is

equivalent to 'engineering supervisors of Betawar. Second user of applicant is

equivalent to 'lower level line engineers'.) It would have been obvious to a person

having ordinary skill in the art at the time of applicant's invention to modify the teachings

of Deitz by having multiple users in which one user can override another input as taught

by Koizumi and Betawar to receiving input from each of a plurality of users regarding

each user's preference for translating an element of the information, a first user's

preference overriding a second user's preference.

For the purpose of having more than one person being able to override a

preference for increased accuracy or prevention of an error.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as

set forth above, in view of Koizumi. (U. S. Patent Publication 20020026633, referred to

as **Koizumi**)

Claim 34

Deitz does not teach wherein a pattern matching rule from the first plurality of

pattern matching rules is based on a plurality of knowledge elements and at least one

known relationship between the plurality of knowledge elements, each of the plurality of

knowledge elements identifiable as an entity in the information.

Koizumi teaches wherein a pattern matching rule from the first plurality of pattern

matching rules is based on a plurality of knowledge elements and at least one known

relationship between the plurality of knowledge elements, each of the plurality of

knowledge elements identifiable as an entity in the information. (**Koizumi; ¶0054;**

'Pattern matching rule' of applicant is equivalent to 'translation rules' of Koizumi.

'Knowledge elements' and 'known relationship' of applicant is illustrated by the function

of the ARM (abstract register machine) of Koizumi.) It would have been obvious to a

person having ordinary skill in the art at the time of applicant's invention to modify the

teachings of Deitz by using rules based on knowledge elements as taught by Koizumi to

a pattern matching rule from the first plurality of pattern matching rules is based on a

plurality of knowledge elements and at least one known relationship between the

plurality of knowledge elements, each of the plurality of knowledge elements identifiable

as an entity in the information.

For the purpose of using rules that follow elements and there relationship

between them which aids in viewing patterns as clusters (or relationships) and thus

using rules only associated with a specific cluster (or relationship) and the associated

efficiency.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed
or described as set forth in section 102 of this title, if the differences between the
subject matter sought to be patented and the prior art are such that the subject
matter as a whole would have been obvious at the time the invention was made
to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claims 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Deitz as set forth above, in view Betawar. (U. S. Patent Publication 20020055804,

referred to as **Betawar**)

Claim 40

Deitz does not teach wherein the user input is derived from input from a first user

and input from a second user, the first user occupying a different position in a value

chain than the second user.

Betawar teaches wherein the user input is derived from input from a first user

and input from a second user, the first user occupying a different position in a value

chain than the second user. (**Betawar, ¶0057**; 'First user' of applicant is equivalent to

'lower level line engineers' of Betawar. 'Input is derived' and 'input from a second user'

of applicant is illustrated by the supervisor being able to edit parameters.) It would have

been obvious to a person having ordinary skill in the art at the time of applicant's

invention to modify the teachings of Deitz by users having different authority positions

as taught by Betawar to wherein the user input is derived from input from a first user

and input from a second user, the first user occupying a different position in a value

chain than the second user.

For the purpose of having the role of supervisor incorporated within the

specification for increased accuracy.

Claim 41

Deitz does not teach wherein the user input is derived from input from a first user

and input from a second user, the first user occupying a different position in a business

process than the second user.

Betawar teaches wherein the user input is derived from input from a first user

and input from a second user, the first user occupying a different position in a business

process than the second user. (**Betawar,** ¶0057; 'Different position' of applicant is

equivalent to the difference 'lower level line engineers' and 'engineering supervisors' of

Betawar.) It would have been obvious to a person having ordinary skill in the art at the

time of applicant's invention to modify the teachings of Deitz by having users at different

authority levels as taught by Betawar to have wherein the user input is derived from

input from a first user and input from a second user, the first user occupying a different

position in a business process than the second user.

For the purpose of having the role of supervisor incorporated in a business

setting within the specification for increased profits.

Claim 42

Deitz does not teach wherein the user input is derived from input from a first user

and input from a second user, at least a portion of the input from the second user

altering at least a portion of the input from the first user.

Betawar teaches wherein the user input is derived from input from a first user
and input from a second user, at least a portion of the input from the second user
altering at least a portion of the input from the first user. (**Betawar,** ¶0057; 'First user' of
applicant is equivalent to 'lower level line engineers' of Betawar. 'Input is derived' and
'input from a second user' of applicant is illustrated by the supervisor being able to edit
parameters.) It would have been obvious to a person having ordinary skill in the art at
the time of applicant's invention to modify the teachings of Deitz by having the
supervisor being able to alter input of another user as taught by Betawar to have
wherein the user input is derived from input from a first user and input from a second
user, at least a portion of the input from the second user altering at least a portion of the
input from the first user.

For the purpose of the supervisor or making changes on lower level users input
for modification or alteration for increased accuracy.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Deitz as set forth above, in view Hill. ('Yahoo for dummies', referred to as **Hill**)

Claim 45

Deitz does not teach automatically detecting the hierarchy among elements of the configuration information based upon a naming convention suggests a relationship between elements of the hierarchy, the second transform version transformed from the first transformed version via: cascade rules that apply increasing domain specific translation rules; and a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation.

Hill teaches automatically detecting the hierarchy among elements of the configuration information based upon a naming convention suggests a relationship between elements of the hierarchy, the second transform version transformed from the first transformed version via: cascade rules that apply increasing domain specific translation rules; and a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation. (**Hill,** p115 through 124; 'Automatically detecting the hierarchy among elements' of applicant is the result of a search request by the Yahoo search engine. The

more terms used for the search engine (domain), the smaller the results (range) (**Hill,**

p117) The 'elements of the configuration information based upon a naming convention'

of applicant is disclosed by the search term 'Anthony Hopkins' of Hill. (**Hill,** Fig 7-4)

Where 'a naming convention suggests a relationship between the elements of the

hierarchy' of applicant is disclosed by the search results of 'Anthony Hopkins' and the

search results of 'Actors_and_Actresses' and 'Anthony Hopkins.' (**Hill,** fig 7-4, 7-5.)

'Cascade rules' which increase domain specific translation rules are inherent with the

decreased range of results with more specific search terms. (**Hill,** fig 7-4, 7-5.) A

'contextual graphical user interface' of applicant is illustrated by the Yahoo page of

Figure 7-4. An 'incomplete translation' which allow a customer to assist in the translation

is disclosed by the 11 matches of the search term of 'Anthony Hopkins.' This allows the

user to choose one of the eleven categories, or switch to 'web sites', 'web pages',

related news' or 'net events.' (**Hill,** figure 7-4.)) It would have been obvious to one

skilled with the art to modify the teachings of Deitz to use normal internet search

principles as taught by Hill to automatically detecting the hierarchy among elements of

the configuration information based upon a naming convention suggests a relationship

between elements of the hierarchy, the second transform version transformed from the

first transformed version via: cascade rules that apply increasing domain specific

translation rules; and a contextual graphical user interface in parallel with an incomplete

translation, the contextual graphical user interface adapted to allow a customer to assist

in the translation.

For the purpose of using additional terms which narrow the scope of the domain which yields better results.

Response to Arguments

6.   Applicant's arguments filed on September 18, 2008for claims 1-44, and 46 have been fully considered but are not persuasive.

7.   In reference to the Applicant's argument:

REMARKS
Applicant respectfully thanks the Examiner for the consideration provided to this application, and respectfully requests reconsideration of this application.

Each of claims 1, 43, and 44 has been amended for at least one reason unrelated to patentability, including at least one of: to explicitly present one or more elements, limitations, phrases, terms and/or words implicitly in the claim as originally written when viewed in light of the specification, thereby not narrowing the scope of the claim; to detect infringement more easily; to enlarge the scope of infringement; to cover different kinds of infringement (direct, indirect, contributory, induced, and/or importation, etc.); to expedite the issuance of a claim of particular current licensing interest; to target the claim to a party currently interested in licensing certain embodiments; to enlarge the royalty base of the claim; to cover a particular product or person in the marketplace; and/or to target the claim to a particular industry.

Support for the amendments to each of claims 1, 43, and 44 can be found in the application as originally submitted at least at paragraphs 15 and 23. It is respectfully submitted that no new matter has been added.

Claim 45 has been withdrawn from consideration.
Claim 46 has been added.
Claims 1-46 are now pending in this application. Each of claims 1 and 43=46 is in independent form.

I. The Advisory Action

Applicant respectfully thanks the Examiner for the consideration provided to this application in providing the Advisory Action dated 4 September 2008 ("the Advisory Action"). To the extent that any statements in the Advisory Action characterize and/or mischaracterize Applicant's specific arguments, such as by the numerous assertions of what "'Applicant believes", what "Applicant suggests", and what "Applicant feels", Applicant respectfully traverses and requests a detailed response to Applicant's actual arguments as required under MPEP 707.07(f). Likewise, any attempts to characterize and/or mischaracterize the claimed subject matter, without quoting the precise claim language, is respectfully traversed.

IL The Anticipation Rejections

Each of claims 1, 20, 43, and 44 was rejected as anticipated, and thus unpatentable, under 35 U.S.C. 102(b). In support of the rejection, various portions of U.S. Patent 7,020,876 ("Deitz") were applied. These rejections are respectfully traversed as moot in view of the present amendments to each of claims 1, 43, and 44.

Specifically, each of claims 1, 43, and 44, from one of which claim 20 ultimately depends, states, inter alia, yet no evidence has been presented that the applied portions of Dietz teach, "based upon an automatically detected hierarchy among elements of the configuration information", "automatically obtaining" a first transformed version of the configuration information". Instead, the applied potions of Dietz states, at col. 4, lines 14-19, "It]he system and method displays the set of batch information using a graphical user interface and prompts a user to enter a first input identifying a subset of the set of batch information from the displayed set of batch information to be included within at least one batch of the plurality of batches.

Examiner's response:

'Based upon an automatically detected hierarchy among elements of the

configuration information' of applicant is disclosed by the result of 'receives a second

message containing a set of batch information in response to the first message

request.' The system and method displays the set of batch information. This is

equivalent to 'automatically' of applicant.

8.   In reference to the Applicant's argument:

In addition, each of claims 1 and 43, from one of which claim 20 ultimately depends, states, inter alia, yet no evidence has been presented that the applied portions of Dietz teach, "'the user input indicative that. DHTML logic is to be applied to obtain the second transformed version of the configuration information". Regarding this claimed subject matter, the present Office Action asserts at Page 4:

'DHTML logic' of applicant is not true 'logic' in the classical definition of 'logic.' DMTHL is a combination of a number computer languages which enable web pages to be dynamic. Thus since Deitz is able to be edited and be used over the internet, then DHTML is inherent. Establishing prlma facie case of"[i]nherent anticipation requires that the missing descriptive material is necessarily present, not merely probably or possibly present, in the prior art." Trintec Indus., Inc. v. Top-U.S.A. Corp., 295 F.3d 1292, 1295, 63 USPQ2d 1597, 1599 (Fed. Cir. 2002); See also, MPEP 2112.

Yet the present Office Action fails to provide evidence that the admittedly missing claimed subject matter is necessarily present and not merely probably or probably present in Dietz. To the extent that the present Office Action or future Office Actions base rejections upon inherency, Applicant respectfully requests evidence that the allegedly inherent subject matter is necessarily present and not merely probably or probably present in the applied portions of the relied-upon references.

For at least these reasons reconsideration and withdrawal of each rejection of each of claims 1,43, and 44 is respectfully requested. Also, reconsideration and withdrawal of the rejection of claim 20, which ultimately depends from claim 1, is also respectfully requested.

Examiner's response:

       The term 'DHTML' are in claims 10, 11, 13, 42, and 44. Dietz does not

specifically mention DHTML, but to the reasoning that Dietz can be edited and used

over the internet indicates that 'graphical user interface the user input indicative of a

predetermined option regarding the second transformed version of the configuration

information' of applicant is available with Dietz.

9.   In reference to the Applicant's argument:

        III. The Obviousness Rejections
Each of claims 2-19, 21-42, and 45 was rejected under 35 U.S.C. 103(a) as being
obvious, and thus unpatentable, over various combinations of U.S. Patent 7,020,876
("Deitz"), U.S. Patent 6,195,665 ("Jarrett"), U.S. Patent 6,996,599 ("Jayaram"), U.S.
Patent 6,289,266 ("Payson"), U.S. Publication 2001/0047420 ("Talanis"), a paper, John
Mytopoulos, Huaiqing Wang, and Bryan Kramer, "Knowbel: A Hybrid tool for building
expert systems", IEEE, February 1993, ("Mylopoulos"), U.S. Patent 20010056429
("Moore"), U.S. Publication 2002/0026633 ("Koizumi"), U.S. Publication 2002/0077711
("Nixon"), and/or U.S. Publication 2002/0055804 ("Betawar"). Each of these rejections is
respectfully traversed.

A. Legal Standards
1.
Overview of Prima Facie Criteria for an Obviousness Rejection
The Patent Act, namely, 35 U.S.C. 103, forbids issuance of a patent when "the
differences between the subject matter sought to be patented and the prior art are such
that the subject matter as a whole would have been obvious at the time the invention
was made to a person having ordinary skill in the art."
Relatively recently, in KSR international Co. v. Teleflex, Inc., 550 U.S. ~, 127 S. Ct.
1727, 2007 U.S. LEXIS 4745 (2007), the Supreme Court interpreted this law while
highlighting the typical invention process. "Inventions usually rely upon building blocks
long since uncovered, and claimed discoveries almost necessarily will be combinations
of what, in some sense, is already known". Yet, to properly apply § 103, the Court
recognized the need to filter, via obviousness analyses, true inventions from mere
ordinary technological advances. "Granting patent protection to advances that would
occur in the ordinary course without real innovation retards progress and may, in the
case of patents combining previously known elements, deprive prior inventions of their
value or utility."

In Graham v. John Deere Co., 383 U.S. 1,148 USPQ 459 (1966), the Supreme Court
established factors regarding the factual inquiry required to establish obviousness. The
factors include:
1. determining the scope and' contents of the prior art;
2. ascertaining differences between the prior art and the claims at issue;
3. resolving the level of ordinary skill in the pertinent art; and
4. considering objective evidence indicating obviousness or nonobviousness. Regarding
proposed combinations of prior art, KSR clarified that the "It]he question is not whether
the combination was obvious to the patentee but whether the combination was obvious
to a person with ordinary skill in the art". Thus, in determining obviousness, both KSR

and Graham warned against a "temptation to read into the prior art the teachings of the invention in issue" and instruct to "'guard against slipping into the use of hindsight'".

KSR Further warned, "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art". The Federal Circuit has held that "[w]hen there is a design need or market pressure to Solve a problem", obviousness is not supported unless "a finite, and in the context of the art, small or easily traversed, number of options" "would convince an ordinarily skilled artisan of obviousness". Ortho-McNeil Pharmaceutical Inc. v. Mylan Laboratories Inc., 520 F.3d 1358 (Fed. Cir. 2008). To guard against hindsight, KSR explained the "import[ance]" of "identify[ing] a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does". That is, "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness" (quoting in re Kahn, 441 F. 3d 977, 98g (Fed. Cir. 2006). Thus, "[t]o facilitate review, this analysis should be made explicit".

Explaining the need for "a reason that would have prompted a person of ordinary skill", KSR further taught that "if a technique has been used to improve one device, and a person of ordinary skill in the art would recognize that it would improve similar devices in the same way, using the technique is obvious unless its actual application is beyond his or her skill.". Further exploring this mandate, the Federal Circuit has recently recognized that "knowledge of a problem and motivation to solve it arc entirely different from motivation to combine particular references". Innogenetics v. Abbott Laboratories (Fed. Cir. 2007-I 145) (8 January 2008).

Thus, according to the Supreme Court, a proper obviousness rejection must "identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does" and must present substantial evidence that one of ordinary skill WOULD recognize that alleged reason for making the particular claimed combination. It follows that if the alleged reason for making the particular combination of features is not evidenced to be art-recognized, then that reason MUST BE based on hindsight. In addition to establishing a proper reason to combine, a proper obviousness rejection must clearly identify proposed references(s) that:

I. are pertinent;
2. provide a reasonable expectation of success; and
3. teach.., all the claim limitations
See MPEP 2143; MPEP 2143.03, In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); and additional citations infra.

Consistent with other patentability rejections, to establish a prima facie case of

obviousness, substantial evidence, must be provided that fulfills the mandates of the applicable law. The "Patent Office has the initial duty of supplying the factual basis for its rejection." In re Warner, 379 F.2d 1011,154 USPQ 173, 178 (CCPA 1967), cert. denied, 389 U.S. 1057, reh 'g dented, 390 U.S. 1000 (1968). "It may not.., resort to speculation, unfounded assumptions or hindsight re2onstruction to supply deficiencies in its factual basis". Id.

It is legal error to "substitute[] supposed per se rules for the particularized inquiry required by section 103. It necessarily produces erroneous results." See, In re Ochiat, 71 F.3d 1565, 1571, 37 USPQ2d 1127, 1132-33 (Fed. Cir. 1998); In re Wright, 343 F.2d 761,769-770, 145 USPQ 182, 190 (CCPA 1965).

"Once the examiner.., carries the burden of malting out a prima facie case of unpatentability, 'the burden of coming forward with evidence or argument shifts to the applicant.'" In re Alton, 76 F.3d 1168, 37 USPQ2d 1578 (Fed. Cir. 1996) (quoting re Oetiker, 977 F.2d at 1445, 24 USPQ2d at 1444).

2.
Claim Construction
Before the prima facie obviousness criteria can be applied, the words of each claim must be interpreted. The Federal Circuit, in Phillips v. A WH Corp., 415 F.3d 1303, 75 USPQ2d 1321 (Fed. Cir. 2005) (en bane), cert. denied, 546 U.S. 1170, 126 S.Ct. 1332, 164 L.Ed.2d 49 (2006) clarified that:
1. "[It]he Patent and Trademark Office ('PTO') determines the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction 'in light of the specification as it would be interpreted by one of ordinary skill in the art'" (Yd. at 1316);
2. the words of a claim "are generally given their ordinary and customary meaning" (Id. at 1312);
3. the ordinary and customary meaning of a claim term is "'the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, i.e., as of the effective filing date of the patent application" (Id. at 1313);
4. "the person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification" (Id.);
5. even "the context in which a term is used in the asserted claim can be highly instructive" (Id. at 1314);
6. "the specification may reveal a special definition given to a claim term by the patentee that differs from the meaning it would otherwise possess. In such cases, the inventor's lexicography governs" (Id. at 1316);
7. even "when guidance is not provided in explicit definitional format, the specification may define claim terms by implication such that the meaning may be found in or ascertained by a reading of the patent documents" (Id. at 1321);
8. an "invention is construed not only in the light of the claims, but also with reference to

the file wrapper or prosecution history in the Patent Office" (Id. at 1317 (citing Graham v. John Deere Co., 383 U.S. I, 33 (1966))); and

9. the "prosecution history.., consists of the complete record of the proceedings before the PTO and includes the prior art cited during the examination of the patent" (Id. at 1317).

The roles established in Phillip. v apply to ex parte examination in the USPTO. See, Xn re Kumar, 418 F.2d 1361 (Fed. Cir. 2005).

3. Unfounded Assertions of Knowledge

Deficiencies of the cited references can not be remedied by general conclusions about what is basic knowledge or common sense to one of ordinary skill in the art. In re Zurkn, 258 F.3d 1379, 1385-86 (Fed. Cir. 2001). An assessment of basic knowledge and common sense that is not based on any evidence in the record lacks substantial evidence support. Id. That is, such unfounded assertions are not permissible substitutes for evidence. See, In re Lee, 277 F.3d 1338, 1435, 61 USPQ2d 1430, 1435 (Fed. Cir. 2002).

4.
Determination of the Level of Skill

Consistent with Graham, "the Level of ordinary skill in the art is a factual question that must be resolved and considered." Ryko Mfg. Co. v. Nu-Star, Inc, 950 F.2d 714, 718, 21 USPQ2d 1053, 1057 (Fed. Cir. 1991). "The importance of resolving the Level of ordinary skill in the art lies in the necessity of maintaining objectivity in the obviousness inquiry." Id. Thus, the "examiner must ascertain what would have been obvious to one of ordinary skill in the art at the time the invention was made, and 'not to the inventor, a judge, a layman, those skilled in remote arts, or to geniuses in the art at hand'." MPEP 2141.03, quoting Environmental designs, Ltd. v. Union Oil Co., 713 F.2d 693, 218 USPQ 865 (Fed. Cir. 1983), cert. denied, 464 U.S. 1043 (1984).

5. Pertinent Prior Art References

The Graham analysis requires that, to rely on a prior art reference as a basis for a rejection, the USPTO must show that the reference is "reasonably pertinent to the particular problem with which the invention was involved." Ruiz v. A.B, Chance Co., 234 F.3d 654, 664, 57 USPQ2d 1161, 1166 (Fed. Cir. 2000); Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 1535, 218 USPQ 871,876 (Fed. Cir. 1983); In re Deminski, 796 F.2d 436,230 USPQ 313 (Fed. Cir. 1986); In re Oetiker, 977 F.2d 1443, 1447 (Fed. Cir. 1992); In re Kahn, 441 F.3d 977 (Fed. Cir. 2006).

"References arc selected as being reasonably pertinent to the problem based on the judgment of a person having ordinary skill in the art." In re Kahn, 441 F.3d 977 (Fed. Cir. 2006) ("[I]t is necessary to consider 'the reality of the circumstances, '--in other words, common sense---in deciding in which fields a person of ordinary skill would reasonably be expected to look for a solution m the problem facing the inventor" (quoting in re Wood, 599 F.2d 1032, 1036 (C.C.P.A. 1979))).

"If a reference disclosure has the same purpose as the claimed invention, the reference relates to the same problem, and that fact supports use of that reference in an obviousness rejection. An inventor may well have been motivated to consider the reference when making his invention. If it is directed to a different purpose, the inventor would accordingly have had less motivation or occasion to consider it." In re Kahn, 441 F.3d 977 (Fed. Cir. 2006) (citing In re Clay, 966 F.2d 656, 659-60 (Fed. Cir. 1992)).

Yet "'[d]efining the problem in terms of its solution reveals improper hindsight in the selection of the prior art relevant to obviousness." In re Kahn, 441 F.3d 977 (Fed. Cir. 2006) (quoting Ecolochem, Inc. v. S. Cal. Edison Co., 227 F.3d 1361, 1372 (Fed. Cir. 2000)).

6.
Selection of Portions of References
"'It is impermissible within the framework of section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.'"]n re Hedges, 783 F.2d 1038, 1041 (Fed. Cir. 1986) (quoting In re Wesslau, 353 F.2d 238,241 (CCPA 1965)).

7.
The Applied Reference(s) Must Present All Claim Limitations
"To establish a prima facie case of obviousness.., the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 2143. The proposed modification or combination must provide the structure recited in the claims and produce the result attained by that structure. See In re Schutpen, 390 F.2d 1009 (C.C.P.A., 1968).

8.
The Applied Reference(s) Must Be Enabling
"In order to render a claimed apparatus or method obvious, the prior art must enable one skilled in the art to make and use the apparatus or method." Rockwell Int 'I Carp. v. U.S., 147 F.2d 1358, 47 USPQ2d 1027 (Fed. Cir. 1998); Motorola, Inc. v. Interdigital Tech. Corp., 121 F.3d 1461, 1471, 43 USPQ2d 1481, 1489 (Fed. Cir. 1997); Beckman Instrument, Inc. v. LKB Produkter AB, 892 F.2d 1547, 1551, 13 USPQ2d 1301, 1304 (Fed. Cir. 1989); In re Johnston, 435 F.3d 1381 fled. Cir. 2006).

9. Next Office Action
If an Office Action fails to set forth sufficient facts to provide a prima facie basis for the rejections, arty future rejection based on the applied reference will necessarily be factually based on an entirely different portion of that reference, and thus will be legally defined as a "new grounds of rejection." Consequently, any Office Action containing such rejection can not property be made final. See, In re Wiechert, 152 USPQ 247,

251-52 (CCPA 1967) (defining "new ground of rejection" and requiring that "when a rejection is factually based on an entirely different portion of an existing reference the appellant should be afforded an opportunity to make a showing of unobviousness vis-a-vis such portion of the reference"), and In re Warner, 379 F.2d 1011,154 USPQ 173, 178 (CCPA 1967) (the USPTO "has the initial duty of supplying the factual basis for its rejection").

B. Analysis
1.
Claims2-19, 21-42
As indicated, ,supra, claim I, from which each of claims 2-19, 21-42 ultimately depends, states, inter alia, yet no evidence has been presented that the applied portions of Dietz teach, "based upon an automatically detected hierarchy among elements of the configuration information", "automatically obtaining" "a first transformed version of the configuration information". Instead, the applied potions of Dietz .states, at col. 4, lines 14-19, "the system and method displays the set of batch information using a graphical user interface and prompts a user to enter a first input identifying a subset of the set of batch information from the displayed set of batch information to be included within at least arm batch of the plurality of batches.

In addition, claim 1, from which each of claims 2-19, 21-42 ultimately depends, states, inter alia, yet no evidence has been presented that the applied portions of Dietz teach, "the user input indicative that DHTML logic is to be applied to obtain the second transformed version of the configuration information". Regarding this claimed subject matter, the present Office Action asserts at Page 4:

'DHTML logic' of applicant is not true 'logic' in the classical definition of 'logic.' DHTML is a combination of a number computer languages which enable web pages to be dynamic. Thus since Deitz is able to be edited and be used over the interact, then DHTML is inherent. Yet the present Office Action fails to provide evidence that the admittedly missing claimed subject matter is necessarily present and not merely probably or probably present in Diet7. To the extent that the present Office Action or future Office Actions base rejections upon inherency, Applicant respectfully requests evidence that the allegedly inherent subject matter is necessarily present and not merely probably or probably present in the applied portions of the relied-upon references. No evidence is of record that the applied portions of the remaining relied-upon references overcome these deficiencies of Dietz. For at least these reasons, reconsideration and withdrawal of each rejection of claim 1 is respectfully requested. Also reconsideration of each of claims 2-19, 21-42, each of which ultimately depends from independent claim 1 is respectfully requested.

Examiner's response:

'Based upon an automatically detected hierarchy among elements of the

configuration information', and 'automatically obtaining" of applicant is illustrated by

'Hierarchy among elements of the configuration' of applicant is illustrated by 'received a

second message containing a set of batch information in response to the first message

requesting … using a graphical user interface and prompts a user to enter a first input

identifying a subset of set of batch information from the displayed set of batch

information from the displayed set of batch information to be included within at least one

batch of the plurality of batches' of Dietz. 'Hierarchy among elements' is also disclosed

by Dietz being applied to 'batch oriented process control systems, including for example

process control systems that produce pharmaceuticals, chemicals, food products,

consumer goods or any other product.' (**Dietz,** C4:9-32, C5:17-46) 'A first transformed

version of the configuration information' of applicant is disclosed by 'First transformed

version of the configuration information using user input to obtain a second transformed

version of the configuration information' of applicant is equivalent to 'editing' of Dietz.

(**Dietz,** Fig. 9, C5:7-9, C13:49 through C14:10)

10.   In reference to the Applicant's argument:

        2.
Claim 2
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that
are used in rejecting claim 2, in such a manner so as to arrive at the claimed subject
matter of claim 2. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Page 11:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using a consistence format as taught by Jayaram to converting the information into a common format. For the purpose of avoiding additional computing cost associated with two or more formats.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 2 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 2 is respectfully requested.

Examiner's response:

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. Jayaram is used to disclose interface elements which are associated with the internet. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions.

11.   In reference to the Applicant's argument:

3. Claim 3
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that
are used in rejecting claim 3, in such a manner so as to arrive at the claimed subject
matter of claim 3. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Pages 11-12:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by altering information into a user
familiar syntax as taught by Jayaram to converting the information into a user-definable
syntax. For the purpose of having the invention

easier to use for the user due to the fact the user defines syntax is employed. The
present Office Action presents no evidence that the proffered combination of elements,
selected by the Office from the applied portions of the relied-upon references to arrive at
the claimed subject matter are "a finite, and in the context of the art, small or easily
traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 3 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 3 is
respectfully requested.

Examiner's response:

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. Jayaram is used to disclose interface elements

which are associated with the internet. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions.

12.   In reference to the Applicant's argument:

4. Claim 4
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portion~ of Dietz and Jayaram, that
are used in rejecting claim 4, in such a manner so as to arrive at the claimed subject
matter of claim 4. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Page 12:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by using XML as taught by
Jayaram to converting-the information into XML. For the purpose of using an industrial
standard code for ease of implementation across multiple platforms.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references

to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 4 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 4 is respectfully requested.

Examiner's response:

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. Jayaram is used to disclose interface elements which are associated with the internet. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions.

13.   In reference to the Applicant's argument:

5. Claim 5
Claim 5 states, inter alia, yet no substantial evidence is of record that the applied
portions of Payson teach, "importing the first transformed version into the destination
system, the first transformed version obtained from a Bailey INFI-90 configuration
database." The present Office Action alleges, at Page 19, that Payson teaches this
claimed, subject matter at "C5: I-5". Yet this applied portion of Payson merely states:

[a] suitable control and data acquisition system is that marketed by Westinghouse under
the designation WI)PF Distributed Control System. Other suitable control and dam
acquisition systems are the Infi 90 available from Bailey Controls and products of
Honeywell and Foxboro. The mere statement that "the Infi 90 available from Bailey
Controls" is a "suitable control and data acquisition system[]" provides no evidence that
this applied portion of Payson teaches or enables:

- "importing" anything whatsoever;
- a "first transformed version" of anything whatsoever;
- any "destination system" whatsoever; or
- any "configuration database" whatsoever;

Thus, no evidence is of record that the applied portions of Payson teach or enable,
"importing the first transformed version into the destination system, the first transformed
version obtained from a Bailey INFI-90 configuration database."

No evidence is of record that the applied portions of the remaining relied-upon
references overcome these deficiencies of Payson.

The present Office Action fails to provide evidence of obviousness as required under
KSIL For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Payson, that are
used in rejecting claim 5, in such a manner so as to arrive at the claimed subject matter
of claim 5. Regarding the proffered combination of the applied portions of Dietz and
Payson, the present Office Action states, at Pages 19-20:

[i]t Would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by using hardware as taught by
Payson to importing the fast transformed version into the destination system, the first
transformed version obtained from a Bailey INFI-90 configuration database. For the
purpose of using established hardware with proved results and compatibility history.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references

to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the mason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning m support the legal conclusion of obviousness. The rejection of claim 5 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 5 is respectfully requested.

Examiner's response:

Dietz inherently imports information from a database. The location of the user inherently has a destination and the 'configuration database' of applicant is equivalent to 'INFI 90 available from Bailey' of Payson. (**Payson**, C5:1-5)

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. Jayaram is used to disclose interface elements which are associated with the internet. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Payson reference is used to illustrate using a INFI 90 database.

14.   In reference to the Applicant's argument:

6. Claim 6
Claim 6 states, inter alia, yet no substantial evidence is of record that the applied
portions of Talanis teach, "importing the second transformed version into the destination
system, the second transformed version comprising configuration elements associated
with a WinCC operator console." The present Office Action alleges, at Page 2 I, that
Talanis teaches this claimed subject matter at '~T 0013". Yet no evidence is of record
that this applied portion of Talanis teaches anything whatsoever regarding "WinCC'. For
the purposes of this Reply, Applicant assumes that the present Office Action intended to
apply paragraph 0017 of Talanis, which states: [t]here is thus a user data
communication 27 over the Internet in both directions independently in terms of timing,
which user data communication 27 can be initiated by both sides. In this way, it
becomes possible to use an existing communication path of the Internet for automation
technology in a customary way for operator control and monitoring purposes as a HMI
(Human Machine Interface). One possible advantageous application of this method is,
for example, the operator control and monitoring system WinCC from Siemens. The
mere statement that an "advantageous application of this method is, for example, the
operator control and monitoring system WinCC from Siemens" provides no evidence
that this applied portion of Talanis teaches:
- "importing" anything whatsoever;
- a "second transformed version" of anything whatsoever; - any "destination system"
whatsoever; or - any "configuration elements" whatsoever; Thus, no evidence is offered
that the applied portions of Talanis teaches or enables, "importing the second
transformed version into the destination system, the second transformed version
comprising configuration elements associated with a WinCC operator console."

No evidence is of record that the applied portions of Dietz overcome these deficiencies
of Talanis. The present Office Action fails to provide evidence of obviousness as
required under KSR For example, regarding the proffered combinations of the applied
portions of the relied- upon references, no evidence is provided whatsoever regarding
why one having ordinary skill in the art would combine the applied portions of Dietz and
Talanis, that are used in rejecting claim 6, in such a manner so as to arrive at the
claimed subject matter of claim 6. Regarding the proffered combination of the applied
portions of Dietz and Talanis, the present Office Action states, at Page 21:

[i]t would have been obvious to a person having ordinary skill in the art at the time of

applicant's invention to modify the teachings of Dietz by using WinCC as taught by Talanis to have importing the second transformed version into the destination system the second transformed version comprising configuration elements associated with a WinCC operator console. For the purpose of using an established software package as WinCC for importing transforms versions with known reliability and results.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter arc "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred In the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skid in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 6 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 6 is respectfully requested.

Examiner's response:

Talanis reference is used to introduce the element of 'WinCC.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Talanis reference is used in combination with Dietz and is used to

introduce 'WinCC.'

15.   In reference to the Applicant's argument:

7. Claim 7
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
felled- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Mylopoulos, that
are used in rejecting claim 7, in such a manner so as to arrive at the claimed subject
matter of claim 7. Regarding the proffered combination of the applied portions of Dietz
and Mylopoulos, the present Office Action states, at Page 22:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by using APACS as taught by
Mylopoulos to have parsing the information, the information obtained from an APACS
control system configuration database. For the purpose of using established hardware
with known reliability and performance for obtaining accurate results.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the mason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to

support the legal conclusion of obviousness. The rejection of claim 7 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 7 is respectfully requested.

Examiner's response:

Mylopoulos is used to disclose the element of 'APACS. This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Mylopoulos reference is used in combination with the Dietz reference and is used to introduce 'APACS.'

16.   In reference to the Applicant's argument:

8.
Claim 8
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and 1ayaram, that are used in rejecting claim 8, in such a manner so as to arrive at the claimed subject

matter of claim 8. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Pages 12-13:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using XML taught by Jayaram to expressing the information in an XML syntax. For the purpose of using an industrial standard code for ease of expression across multiple platforms.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 8 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 8 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element of 'XML.' This is used in combination

with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram reference is used in combination with the Dietz reference and

is used to introduce 'XML.'

17.   In reference to the Applicant's argument:

9.
Claim 9
The present Office Action fails to provide evidence of obviousness as required under
KS1L For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Moore, that are
used in rejecting claim 9, in such a manner so as to arrive at the claimed subject matter
of claim 9. Regarding the proffered combination of the applied portions of Dietz and
Moore, the present Office Action states, at Page 23:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by introducing XSLT as taught by
Moore to apply XSLT transforms to the information. For the purpose of using standard
information technologies such as XSLT for obtaining reliable results.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness".

Moreover, the present Office Action provides no evidence that the claimed subject
matter would have occurred in the ordinary course without real innovation or that the
combination would have been obvious to a person with ordinary skill in the art. The
present Office Action fails to evidence an art-recognized reason that would have
prompted a person of ordinary skill in the relevant field to combine the elements in the
way the claimed new invention does. Instead, the present Office Action merely provides
impermissible conclusory statements. Because the present Office Action fails to present

substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 9 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 9 is respectfully requested.

Examiner's response:

Moore is used to disclose the element of 'XSML.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Moore reference is used in combination with the Dietz reference and is used to introduce 'XSML.'

18.   In reference to the Applicant's argument:

10. Claim 10
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the

relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Moore, that are used in rejecting claim 10, in such a manner so as to arrive at the claimed subject matter of claim 10. Regarding the proffered combination of the applied portions of Dietz and Moore, the present Office Action states, at Page 24:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by applying XSLT to DHTML as taught by Moore to apply XSLT transforms to the information and generating DHTML. For the purpose 0f generating a interface which a user can interact with.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the mason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 10 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 10 is respectfully requested.

Examiner's response:

Moore is used to disclose the element of transforming 'XSML' to generate

DHTML. This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Moore reference is used in combination with the Dietz reference and is

used to introduce transforming 'XSML' to generate DHTML.

19.   In reference to the Applicant's argument:

11. Claim 11
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Moore, that are
used in rejecting claim 11, in such a manner so as to arrive at the claimed subject
matter of claim 11. Regarding the proffered combination of the applied portions of Dietz
and Moore, the present Office Action states, at Pages 24-25:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by using DHTMl.. abilities as
taught by Moore to generate DHTML encoding a plurality of options for translating an
element of the information. For the purpose of having a dynamic interface so the user
can input translation requests.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action

merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 11 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 11 is
respectfully requested.

Examiner's response:

        Moore is used to disclose the element 'DHTML.' This is used in combination with

the Dietz reference.

        Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Moore reference is used in combination with the Dietz reference and is

used to introduce 'DHTML.'

20.   In reference to the Applicant's argument:

12. Claim 12
The present Office Action fails to provide evidence of obviousness as required under

KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 12, in such a manner so as to arrive at the claimed subject matter of claim 12. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 13:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by having options as taught by Jayaram to generating a plurality of options adapted for use in translation of an element of the information. For the purpose of being able to generate options for obtaining different translations as needed.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 12 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 12 is respectfully requested.

Examiner's response:

        Jayaram is used to disclose the element 'options.' This is used in combination

with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce 'commands.'

21.   In reference to the Applicant's argument:

13. Claim 13
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Moore, that are used in rejecting claim 13, in such a manner so as to arrive at the claimed subject matter of claim 13. Regarding the proffered combination of the applied portions of Diem and Moore, the present Office Action states, at Page 25:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using DHTML as taught by Moore to interpreting a plurality of options adapted for use in translation of an element of the information using DHTML logic. For the purpose of using logic to provide accurate results obtained from the use of established software as DHTML logic.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter am "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real

innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 13 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 13 is respectfully requested.

Examiner's response:

Moore is used to disclose the element 'interpreting.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Moore reference is used in combination with the Dietz reference and is used to introduce 'presentation language function.'

22.   In reference to the Applicant's argument:

14. Claim 14
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied-upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 14, in such a manner so as to arrive at the claimed subject matter of claim 14. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Pages 13-14:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by being able to view the options as taught by Jayaram to creating graphical user interface elements adapted to present a plurality of options for translating an element of the information. For the purpose of being able to view the possible options to use for translation functions.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied=upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art_ The present Office Action fails to evidence an art=recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art=recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails m provide a rational underpinning to support the legal Conclusion of obviousness. The rejection of claim 14 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 14 is

respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'graphical user interface.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce 'GUI.'

23.   In reference to the Applicant's argument:

15. Claim 15
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 15, in such a manner so as to arrive at the claimed subject matter of claim 15. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 14:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by displaying the options as taught by Jayaram to presenting a plurality of options adapted for use in translation of an element of the information. For the purpose of being able to employ the possible options to use for translation functions.

The present Office Action presents no evidence that the proffered combination of

elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred In the ordinary course without real innovation or that the combination would have been obvious to a person with ordinal/skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements, Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 15 cannot be sustained based upon the mere conclusory statements of the)resent Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 15 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'presenting a plurality of options.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram reference is used in combination with the Dietz reference and

is used to introduce 'constructs in a selectable list.'

24.   In reference to the Applicant's argument:

16. Claim 16
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz, Jayaram, and
Koizumi that are used in rejecting claim 16, in such a manner so as to arrive at the
claimed subject matter of claim 16. Regarding the proffered combination of the applied
portions of Dietz, Jayaram, and Koizumi, the present Office Action states, at Page 27:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by presenting multiple options to
multiple users as taught by Koizumi and 1ayaram to presenting to each of a plurality of
users, a plurality of options adapted for use in translation of an element of the
information. For the purpose of dividing the work tasks into different stations for
increased productivity per time.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 16 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 16 is respectfully requested.

Examiner's response:

Jayaram and Koizumi are used to disclose the element 'plurality of options' and 'plurality of users.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram and Koizumi references are used in combination with the Dietz reference and is used to introduce 'commands' and 'delivery of the object program to the users.'

25.   In reference to the Applicant's argument:

17. Claim 17
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz, 1ayaram, and Koizumi that are used in rejecting claim 17, in such a manner so as to arrive at the claimed subject matter of claim 17. Regarding the proffered combination of the applied

portions of Dietz, Jayaram, and Koizumi, the present Office Action states, at Page 27-28:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by presenting multiple options of translations to multiple users as taught by Koizumi and Jayaram to presenting to each of a plurality of users, a plurality of options adapted for use in translation of an element of the information, the plurality of options and the information element differing for each of the plurality of users. For the purpose of obtaining different translations for different users, such that user specialization can be utilized.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter axe "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 17 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 17 is respectfully requested.

Examiner's response:

        Jayaram and Koizumi are used to disclose the element 'presenting a plurality of

options' and 'plurality of users.' This is used in combination with the Dietz reference.

        Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram and Koizumi references are used in combination with the Dietz

reference and is used to introduce 'commands' and 'delivery of the object program to

the users.'

26.   In reference to the Applicant's argument:

18. Claim 18
The present Office Action fails to provide evidence of obviousness as required under
KS1L For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that
are used in rejecting claim 18, in such a manner so as to arrive at the claimed subject
matter of claim 18. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Page 15:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by combining the GUI and the
generated options as taught by Jayaram to presenting in the graphical user interface a
plurality of options adapted for use in translation of an element of the information. For
the purpose of reducing the effort to employ the options by using a GUI.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter axe "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that

would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 18 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 18 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'graphic user interface.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce 'GUI.'

27.   In reference to the Applicant's argument:

19. Claim 19
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 19, in such a manner so as to arrive at the claimed subject matter of claim 19. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 15-16:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by being able to accept input as taught by Jayaram to receiving a user-selected option from a plurality of options adapted for use in translation of an element of the information. For the purpose of having the invention take in input from the user so that the user can chose which translation options are desired.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal Conclusion of obviousness. The rejection of claim 19 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 19 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'translating an element of the

information.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce the function of a 'GUI.'

28.   In reference to the Applicant's argument:

20. Claim 21
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are used in rejecting Claim 21, in such a manner so as to arrive at the claimed subject matter of claim 21. Regarding the proffered combination of the applied portions of Dietz and Nixon, the present Office Action states, at Page 29:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by inputting multiple users translation request as taught by Nixon to receiving input from each of a plurality of users regarding each user's preference adapted for use in translation of an element of the information. For the purpose of a multiple of users being able to input data so that each user can receive outputs from their specific requests.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter arc "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the

claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provide~ impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the mason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 21 cannot be sustained based upon the mere conclusory. statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 21 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'plurality of users.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'one or more users.'

29.   In reference to the Applicant's argument:

21. Claim 22
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz, Betawar, and
Koizumi that arc used in rejecting claim 22, in such a manner so as to arrive at the
claimed subject matter of claim 22. Regarding the proffered combination of the applied
portions of Dietz, Betawar, and Koizumi, the present Office Action states, at Page 36:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having multiple users in which
one user can override another input as taught by Koizumi and Betawar to receiving
input from each of a plurality of users regarding each user's preference for translating
an element of the information, a first user's preference overriding a second user's
preference. For the purpose of having more than one person being able to override a
preference for increased accuracy or prevention of an error.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter arc "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of Claim 22 cannot be
maintained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 22 is
respectfully requested.

Examiner's response:

Koizumi is used to disclose the element 'receiving input from each of a plurality of users.' Betawar is used to disclose the element 'first and second users' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Koizumi reference is used in combination with the Dietz reference and is used to introduce the function of a 'delivery of the object program to the users.' The Betawar reference is used in combination with the Dietz reference and is used to introduce 'engineering supervisors' and 'lower level line engineers.'

30.   In reference to the Applicant's argument:

22. Claim 23
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied-upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 23, in such a manner so as to arrive at the claimed subject matter of claim 23. Regarding the
proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 16:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by keeping a log as taught by Jayaram to tracking received user input adapted for use in translation of an element of the information. For the purpose of aiding the user by avoiding duplicate translation request.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 23 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 23 is

respectfully requested.

Examiner's response:

    Jayaram is used to disclose the element 'tracking.' This is used in combination

with the Dietz reference.

    Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram reference is used in combination with the Dietz reference and

is used to introduce 'tracking are published.'

31.   In reference to the Applicant's argument:

23. Claim 24
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that
are used in rejecting claim 24, in such a manner so as to arrive at the claimed subject
matter of claim 24. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Page 17:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having audit trail generated as
taught by Jayaram to providing an audit trail of the user input relating to a translation of
an element of the information. For the purpose of keeping track of the cost for the
translations of the invention for possible display to the user.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on

hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 24 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 24 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'providing an audit trail.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce 'tracking are published.' This is due to the specification 'user input can be tracked, thereby providing an audit trial of user input.

32.   In reference to the Applicant's argument:

24. Claim 25
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having

ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that are used in rejecting claim 25, in such a manner so as to arrive at the claimed subject matter of claim 25. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 17:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by outputting the audit trail as taught by Jayaram to providing an audit trail of the user input. For the purpose of displaying the cost of the translation to the user so that the user can use this information to avoid audit trail costs thresholds.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an Ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 25 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 25 is respectfully requested.

Examiner's response:

    Jayaram is used to disclose the element 'providing an audit trail.' This is used in

combination with the Dietz reference.

    Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram reference is used in combination with the Dietz reference and

is used to introduce 'tracking are published through a report.'

33. In reference to the Applicant's argument:

25. Claim 26
The present Office Action fails to provide evidence of obviousness as required under
KSIC For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Jayaram, that
are used in rejecting claim 26, in such a manner so as to arrive at the claimed subject
matter of claim 26. Regarding the proffered combination of the applied portions of Dietz
and Jayaram, the present Office Action states, at Page 18:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by allowing to repeat steps as
taught by Jayaram to repeating said applying activity. For the purpose of repeating a
step if required so that a desired result can occur.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the chimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office

Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 26 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 26 is respectfully requested.

Examiner's response:

Jayaram is used to disclose the element 'repeating said applying activity.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Jayaram reference is used in combination with the Dietz reference and is used to introduce 'business requirement compliance check.'

34.   In reference to the Applicant's argument:

26. Claim 27
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the

relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would Combine the applied portions of Dietz and Jayaram, that arc used in rejecting claim 27, in such a manner so as to arrive at the claimed subject matter of claim 27. Regarding the proffered combination of the applied portions of Dietz and Jayaram, the present Office Action states, at Page 19:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by being able to repeat a transformation as taught by Jayaram to repeating said transforming activity. For the purpose of employing an iteration technique for a desired result.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred In the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for malting the particular claimed combination and does not evidence the reason to be arc-recognized, the stared reason must be based on hindsight. Thus, the present Office Action fails m provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 27 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 27 is respectfully requested.

Examiner's response:

        Jayaram is used to disclose the element 'repeating said transforming activity.'

This is used in combination with the Dietz reference.

        Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Jayaram reference is used in combination with the Dietz reference and

is used to introduce the fail arrow from the database attribute compliance check.

35.   In reference to the Applicant's argument:

27. Claim 28
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 28, in such a manner so as to arrive at the claimed subject
matter of claim 28. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Pages 29-30:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by providing output as taught by
Nixon to have a view of the destination system. For the purpose of seeing the interface
of the system and the results of the translation which are imposed on the destination
system.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action

merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 28 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 28 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'providing a view.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'graphical views.'

36.   In reference to the Applicant's argument:

28. Claim 29
The present Office Action fails to provide evidence of obviousness as required under

KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are used in rejecting claim 29, in such a manner so as to arrive at the claimed subject matter of claim 29. Regarding the proffered combination of the applied portions of Dietz and Nixon, the present Office Action states, at Page 30:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by providing multiple views as taught by Nixon to have a plurality of differing views of the destination system, each of the plurality of differing views corresponding to a different use for the destination system. For the purpose of each user having their own view, due to the logic it would hinder the user to see results of other views which are of no concern to the user.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action Provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 29 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 29 is respectfully requested.

Examiner's response:

        Nixon is used to disclose the element 'plurality of differing views.' This is used in

combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'one or more pull down menus' which accomplishes differing views.

37.   In reference to the Applicant's argument:

29. Claim 30
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are used in rejecting claim 30, in such a manner so as to arrive at the claimed subject matter of claim 30. Regarding the proffered combination of the applied portions of Dietz and Nixon, the present Office Action states, at Page 31:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using GUI interface as taught by Nixon to have in the graphical user interface the information and the second transformed version. For the purpose of using a GUI which allows for increase of ease of use for the user.

The present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art.

The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field m combine the elements In the

way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 30 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 30 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'graphical user interface.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'GUI.'

38.   In reference to the Applicant's argument:

30. Claim 31
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 31, in such a manner so as to arrive at the claimed subject
matter of claim 31. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Pages 31-32:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having multiple users input e
allowed as taught by Nixon to have receiving input from each of a plurality of users
regarding each user's preference adapted for use in translation of an element of the
information. For the purpose of allowing the user to dictate translation needs thus
permitting the user to focus in on specific translation elements.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred In the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the mason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 31 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 31 is
respectfully requested.

Examiner's response:

        Nixon is used to disclose the element 'second transformed version.' This is used

in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'different types of information.'

39.   In reference to the Applicant's argument:

31. Claim 32
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are used in rejecting claim 32, in such a manner so as to arrive at the claimed subject matter of claim 32. Regarding the proffered combination of the applied portions of Diem and Nixon, the present Office Action states, at Page 32:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by altering an existing interface as taught by Nixon to have the second transformed version is based on the first transformed version. For the purpose of updating an interface for greater or lesser content for increased accuracy of field of use.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real

innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have promoted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 32 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 32 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'second transformed version based on the first.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'hierarchy represents.'

40.   In reference to the Applicant's argument:

32. Claim 33
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the an would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 33, in such a manner so as to arrive at the claimed subject
matter of claim 33. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Page 33:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by generating a new interface as
taught by Nixon to have the second transformed version is not based on the first
transformed version. For the purpose of looking at a completely different interface if
needed to observe different scenarios for other solutions which are outside a specific
domain.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the chimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 33 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 33 is
respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'not based on the first transform.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'different sets.'

41.   In reference to the Applicant's argument:

33. Claim 34
The present Office Action fails to provide evidence of obviousness as required under KS1L For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Koizumi, that are used in rejecting claim 34, in such a manner so as to arrive at the claimed subject matter of claim 34. Regarding the proffered combination of the applied portions of Dietz and Koizumi, the present Office Action states, at Page 38:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using rules based on knowledge elements as taught by Koizumi to a pattern matching rule from the first plurality of pattern matching rules is based on a plurality of knowledge elements and at least one known relationship between the plurality of knowledge elements, each of the plurality of knowledge elements identifiable as an entity in the information. For the purpose of using rules that follow elements and there relationship between them which

aids in viewing patterns as clusters (or relationships) and thus using rules only associated with a specific duster (or relationship) and the associated efficiency.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 34 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 34 is respectfully requested.

Examiner's response:

Koizumi is used to disclose the element 'pattern matching rule' and 'knowledge elements.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Koizumi reference is used in combination with the Dietz reference and is

used to introduce 'translation rules' and by the function of the ARM.

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42.   In reference to the Applicant's argument:

34. Claim 35
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Moore, that are
used in rejecting claim 35, in such a manner so as to arrive at the claimed subject
matter of claim 35. Regarding the proffered combination of the applied portions of Dietz
and Moore, the present Office Action states, at Page 26:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by using XSLT as taught by Moore
to have wherein XSLT is employed to translate the information. For the purpose of using
standard information technologies such as XSLT for obtaining reliable results in
translation tasks.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred in the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art. The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on
hindsight. Thus, the present Office Action fails to provide a rational underpinning to
support the legal conclusion of obviousness. The rejection of claim 35 cannot be
sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 35 is

respectfully requested.

Examiner's response:

Moore is used to disclose the element 'XSLT transform.' This is used in

combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Moore reference is used in combination with the Dietz reference and is

used to introduce XSLT as a scripting language.

43.   In reference to the Applicant's argument:

35. Claim 36
The present Office Action fails to provide evidence of obviousness as required under
KSR For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 36, in such a manner so as to arrive at the claimed subject
matter of claim 36. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Page 33:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by having information in a set as taught by Nixon to have at least one of the first plurality of patterns is a set. For the purpose of using set theory in a abstract way to reduce input parameters or established scenarios for greater efficiency.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "'a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 36 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 36 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'patterns is a set.' This is used in

combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Nixon reference is used in combination with the Dietz reference and is

used to introduce 'different sets.'

44.   In reference to the Applicant's argument:

36. Claim 37
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 37, in such a manner so as to arrive at the claimed subject
matter of claim 37. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Page 34:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having a hierarchy structure in
patterns as taught by Nixon to have wherein at least one of the first plurality of patterns
is a hierarchy. For the purpose of looking at hierarchy patterns related in a processing
structure for increased understanding of an overall pattern.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter arc "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred In the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art_ The present Office Action fails to evidence an art-recognized reason that
would have prompted a person of ordinary skill in the relevant field to combine the
elements in the way the claimed new invention does. Instead, the present Office Action
merely provides impermissible conclusory statements. Because the present Office
Action fails to present substantial evidence that one of ordinary skill would recognize
that alleged reason for making the particular claimed combination and does not
evidence the reason to be art-recognized, the stated reason must be based on

hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 37 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 37 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'patterns is a hierarchy.' This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce 'hierarchy represents' of a user.

45.   In reference to the Applicant's argument:

37. Claim 38
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are used in rejecting claim 38, in such a manner so as to arrive at the claimed subject

matter of claim 38. Regarding the proffered combination of the applied portions of Dietz and Nixon, the present Office Action states, at Page 34:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by using naming conventions as taught by Nixon to have at least one of the first plurality of patterns is a naming convention. For the purpose of ease of search based on the name of patterns.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 38 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 38 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element 'naming convention.' This is used in

combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Nixon reference is used in combination with the Dietz reference and is

used to introduce examples of 'Mixing-reagent1', 'Mixer-in1', 'Mixer-reagent2', 'Mixer-

in2', 'Mixer-feed', 'Mixer-in', ''Static mixer' and 'Mixer-out' of Nixon.

46.   In reference to the Applicant's argument:

38. Claim 39
The present Office Action fails to provide evidence of obviousness as required under
KSIL For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Nixon, that are
used in rejecting claim 39, in such a manner so as to arrive at the claimed subject
matter of claim 39. Regarding the proffered combination of the applied portions of Dietz
and Nixon, the present Office Action states, at Page 35:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having multiple users work on
each other' s input as taught by Nixon to have wherein the user input is derived from
input from a first user and input from a second user. For the purpose of being to modify
each other work for improved results.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of
obviousness". Moreover, the present Office Action provides no evidence that the
claimed subject matter would have occurred In the ordinary course without real
innovation or that the combination would have been obvious to a person with ordinary
skill in the art.

The present Office Action fails to evidence an art-recognized reason that would have
prompted a person of ordinary skill in the relevant field to combine the elements in the
way the claimed new Invention does. Instead, the present Office Action merely provides

impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the mason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 39 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 39 is respectfully requested.

Examiner's response:

Nixon is used to disclose the element multiple user inputs This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Nixon reference is used in combination with the Dietz reference and is used to introduce one or more users can subscribe to the same data sets or different data sets.

47.   In reference to the Applicant's argument:

39. Claim 40
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Betawar, that am used in rejecting claim 40, in such a manner so as to arrive at the claimed subject matter of claim 40. Regarding the proffered combination of the applied portions of Dietz and Betawar, the present Office Action states, at Page 39:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by users having different authority positions as taught by Betawar to wherein the user input is derived from input from a first user and input from a second user, the first user occupying a different position in a value chain than the second user. For the purpose of having the role of supervisor incorporated within the specification for increased accuracy.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "'a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred In the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 40 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 40 is respectfully requested.

Examiner's response:

        Betawat is used to disclose the element first user and input from a second user.

This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Betawat reference is used in combination with the Dietz reference and is

used to introduce lower line engineer and the supervisor being able to edit parameters.

48.   In reference to the Applicant's argument:

40. Claim 41
The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the
relied- upon references, no evidence is provided whatsoever regarding why one having
ordinary skill in the art would combine the applied portions of Dietz and Betawar, that
are used in rejecting claim 41, in such a manner so as to arrive at the claimed subject
matter of claim 41. Regarding the proffered combination of the applied portions of Dietz
and Betawar, the present Office Action states, at Page 40:

[i]t would have been obvious to a person having ordinary skill in the art at the time of
applicant's invention to modify the teachings of Dietz by having users at different
authority levels as taught by Betawar to have wherein the user input is derived from
input from a first user and input from a second user, the first user occupying a different
position in a business process than the second user. For the purpose of having the role
of supervisor incorporated in a business setting within the specification for increased
profits.

The present Office Action presents no evidence that the proffered combination of
elements, selected by the Office from the applied portions of the relied-upon references
to arrive at the claimed subject matter are "a finite, and in the context of the art, small or
easily traversed, number of options" that "would convince an ordinarily skilled artisan of

obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of 0rdinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 41 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 41 is respectfully requested.

Examiner's response:

Betawat is used to disclose different positions. This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for example process control systems that produce pharmaceuticals, chemicals, food products, consumer goods or any other product' and can be implemented over the internet. The application can be used to validate bio-pharmaceutical batch process control. This parallel the Dietz reference. This is a valid rational to support a conclusion that the combination of the elements were known in the prior art and one skilled within the art could have combined the elements as claimed with no change in their respective functions. The Betawat reference is used in combination with the Dietz reference and is used to introduce the difference 'lower level line engineers' and 'engineering supervisors' of Betawar.

49.   In reference to the Applicant's argument:

41. Claim 42
The present Office Action fails to provide evidence of obviousness as required under KSR. For example, regarding the proffered combinations of the applied portions of the relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Betawar, that are used in rejecting claim 42, in such a manner so as to arrive at the claimed subject matter of claim 42. Regarding the proffered combination of the applied portions of Dietz and Betawar, the present Office Action states, at Pages 41:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Dietz by having the supervisor being able to alter input of another user as taught by Betawar to have wherein the user input is derived from input from a first user and input from a second user, at least a portion of the input from the second user altering at least a portion of the input from the first user. For the purpose of the supervisor or making changes on lower level users input for modification or alteration for increased accuracy.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skiff in the relevant field to combine the elements in the way the claimed new invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that one of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be art-recognized, the stated reason must be based on hindsight. Thus, the present Office Action fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 42 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 42 is respectfully requested.

Examiner's response:

Betawat is used to disclose the first user, second user, input is derived and input

from a second user. This is used in combination with the Dietz reference.

Dietz can be applied to 'batch oriented process control systems, including for

example process control systems that produce pharmaceuticals, chemicals, food

products, consumer goods or any other product' and can be implemented over the

internet. The application can be used to validate bio-pharmaceutical batch process

control. This parallel the Dietz reference. This is a valid rational to support a conclusion

that the combination of the elements were known in the prior art and one skilled within

the art could have combined the elements as claimed with no change in their respective

functions. The Betawat reference is used in combination with the Dietz reference and is

used to introduce the difference 'lower level line engineers' and 'engineering

supervisors' and illustrated by the supervisor being able to edit parameters.

50.   In reference to the Applicant's argument:

42. Claim 43
Applicant respectfully notes that the present Office Action fails to evidence the scope
and contents of the prior art as required under Graham. The present Office Action fails
to even identify what "the pertinent art" is. Moreover, the present Office Action fails to
evidence the level of ordinary skill in the pertinent art.

Applicant respectfully traverses the failure of the present Office Action to comply with
the requirements of Grahom and thereby, to provide a prima facie rejection under 35
U.S.C. 103.

The present Office Action fails to provide evidence of obviousness as required under
KSR. For example, regarding the proffered combinations of the applied portions of the

relied- upon references, no evidence is provided whatsoever regarding why one having ordinary skill in the art would combine the applied portions of Dietz and Jarett, that arc used in rejecting claim 45, in such a manner so as to arrive at the claimed subject matter of claim 45. Regarding the proffered combination of the applied portions of Dietz and Jarett, the present Office Action states, at Page I0:

[i]t would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify the teachings of Deitz by employing the invention in the fast food industry as taught by Jarett to have express the first transformed version and the second transformed version in a fast food restaurant information management destination system, the fast food restaurant information management system configured by the second transformed version to control information transfers in the fast food restaurant. For the purpose of illustrating the flexibility of the invention such that it can be used in other domains besides biopharmaceutical process batch manufacture.

The present Office Action presents no evidence that the proffered combination of elements, selected by the Office from the applied portions of the relied-upon references to arrive at the claimed subject matter are "a finite, and in the context of the art, small or easily traversed, number of options" that "would convince an ordinarily skilled artisan of obviousness". Moreover, the present Office Action provides no evidence that the claimed subject matter would have occurred in the ordinary course without real innovation or that the combination would have been obvious to a person with ordinary skill in the art. The present Office Action fails to evidence an art-recognized reason that would have prompted a person of ordinary skill in the relevant field to combine the elements In the way the claimed new Invention does. Instead, the present Office Action merely provides impermissible conclusory statements. Because the present Office Action fails to present substantial evidence that 0ne of ordinary skill would recognize that alleged reason for making the particular claimed combination and does not evidence the reason to be ate-recognized, the stated reason must be based on hindsight. Thus, the present Office Action-fails to provide a rational underpinning to support the legal conclusion of obviousness. The rejection of claim 45 cannot be sustained based upon the mere conclusory statements of the present Office Action.

For at least these reasons, reconsideration and withdrawal of the rejection of claim 45 is respectfully requested.

Examiner's response:

        In the last Office Action, the Examiner did not use the reference Jarett for claim

43. Claim 43 was rejected under 35 U.S.C. ¶102(e) in view of Deitz. Dietz teaches

'Biopharmaceutical batch process control system' of applicant is equivalent to 'batch

oriented process control systems including for example process control systems that

produce pharmaceuticals' of Dietz. (**Dietz,** C5:17-46) 'Hierarchy among elements of the

configuration' of applicant is illustrated by 'received a second message containing a set

of batch information in response to the first message requesting ... using a graphical

user interface and prompts a user to enter a first input identifying a subset of set of

batch information from the displayed set of batch information from the displayed set of

batch information to be included within at least one batch of the plurality of batches' of

Dietz. (**Dietz,** C4:9-32) 'First transformed version of the configuration information using

user input to obtain a second transformed version of the configuration information' of

applicant is equivalent to 'editing' of Dietz. (**Dietz,** Fig. 9, C5:7-9, C13:49 through

C14:10) 'DHTML logic' of applicant is not true 'logic' in the classical definition of 'logic.'

DHTHL is a combination of a number computer languages which enable web pages to

be dynamic. Thus since Dietz is able to be edited and be used over the internet, then

DHTML is inherent. (**Dietz,** C1:36-50, C16:46-54) 'Expressing the first transformed

version and the second transformed' of applicant is disclosed by the ability to 'monitor

the campaign status' of Dietz. (**Dietz,** C8:28-55)

51.   In reference to the Applicant's argument:

IV. Claim 46

Claim 46 states, inter alia, yet no evidence has been presented that the applied portions
of the relied-upon references teach, "automatically detectin8 the hierarchy among

elements of the configuration information based upon a naming convention that suggests a relationship between elements of the hierarchy".

Claim 46 states, inter alia, yet no evidence has been presented that the applied portions of the relied-upon references teach, "cascade roles that apply increasingly domain specific translation rules".

Claim 46 states, inter alia, yet no evidence has been presented that the applied portions of the relied-upon references teach, "a contextual graphical user interface in parallel with an incomplete translation, the contextual graphical user interface adapted to allow a customer to assist in the translation".
For at least these reasons, a Notice of Allowance for claim 46 is earnestly solicited.

Examiner's response:

The Examiner uses the reference Hill for claim 46. Hill teaches 'Automatically detecting the hierarchy among elements' of applicant is the result of a search request by the Yahoo search engine. The more terms used for the search engine (domain), the smaller the results (range) (**Hill,** p117) The 'elements of the configuration information based upon a naming convention' of applicant is disclosed by the search term 'Anthony Hopkins' of Hill. (**Hill,** Fig 7-4) Where 'a naming convention suggests a relationship between the elements of the hierarchy' of applicant is disclosed by the search results of 'Anthony Hopkins' and the search results of 'Actors_and_Actresses' and 'Anthony Hopkins.' (**Hill,** fig 7-4, 7-5.) 'Cascade rules' which increase domain specific translation rules are inherent with the decreased range of results with more specific search terms. (**Hill,** fig 7-4, 7-5.) A 'contextual graphical user interface' of applicant is illustrated by the Yahoo page of Figure 7-4. An 'incomplete translation' which allow a customer to assist in the translation is disclosed by the 11 matches of the search term of 'Anthony

Hopkins.' This allows the user to choose one of the eleven categories, or switch to 'web

sites', 'web pages', related news' or 'net events.' (**Hill,** figure 7-4.))

Examination Considerations

52.   The claims and only the claims form the metes and bounds of the invention.

"Office personnel are to give the claims their broadest reasonable interpretation in light

of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023,

1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in

the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ

541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, l 45-48; p 2100-9, c 1, l 1-4). The

Examiner has the full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the

art. Such an approach is broad in concept and can be either explicit or implicit in

meaning.

53.   Examiner's Notes are provided to assist the applicant to better understand the

nature of the prior art, application of such prior art and, as appropriate, to further

indicate other prior art that maybe applied in other office actions. Such comments are

entirely consistent with the intent and sprit of compact prosecution. However, and

unless otherwise stated, the Examiner's Notes are not prior art but link to prior art that

one of ordinary skill in the art would find inherently appropriate.

54.　　Examiner's Opinion:　Paragraphs 52 and 53 apply.　The Examiner has full

latitude to interpret each claim in the broadest reasonable sense.

Conclusion

55.　　The prior art of record and not relied upon is considered pertinent to the

applicant's disclosure.

　　　-U. S. Patent Publication 20020091991: Castro

　　　-U. S. Patent Publication 20020035457: Brown

　　　-U. S. Patent 5576946: Bender

　　　-U. S. Patent 5367624: Cooper

56.　　Claims 1-44, 46 are rejected.

Correspondence Information

57.   Any inquiry concerning this information or related to the subject disclosure should

be directed to the Examiner Peter Coughlan, whose telephone number is (571) 272-

5990. The Examiner can be reached on Monday through Friday from 7:15 a.m. to 3:45

p.m.

        If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor David Vincent can be reached at (571) 272-3080. Any response to this

office action should be mailed to:

        Commissioner of Patents and Trademarks,

        Washington, D. C. 20231;

Hand delivered to:

        Receptionist,

        Customer Service Window,

        Randolph Building,

        401 Dulany Street,

        Alexandria, Virginia 22313,

        (located on the first floor of the south side of the Randolph Building);

or faxed to:

        (571) 272-3150 (for formal communications intended for entry.)

        Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have any questions

on access to Private PAIR system, contact the Electronic Business Center (EBC) at

866-217-9197 (toll free).

/P. C./

Examiner, Art Unit 2129

Peter Coughlan

11/20/2008

/David R Vincent/

Supervisory Patent Examiner, Art Unit 2129